

**THE HONORABLE BODY
 Council Chambers
 Municipal Building
 North Tonawanda, New York 14120
 Tuesday, January 21, 2025
 6:30 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT LAVEY

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present: President Lavey
 Alderman Schmigel, DiBernardo, Loncar, Marranta**

Absent: None

**Also Present: Mayor Austin J. Tylec
 Edward Zebulske, III**

AUDIENCE PARTICIPATION – None

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

January 14, 2025

**North Tonawanda Common Council
 216 Payne Avenue
 North Tonawanda, NY 14120**

Subject: Introduction of Local Law to address Energy Restrictions in North Tonawanda

Dear Honorable Body,

After discussions between my office and the Common Council, we have agreed to propose a local law to address growing concerns among residents and officials regarding the impact of various energy sources on the health, safety, and sustainability of our community. This proposed law aims to provide thoughtful, precautionary measures for energy use within the city, encompassing nuclear, coal, natural gas, hydroelectric, wind, and other energy technologies.

While energy innovation plays a crucial role in shaping our future, it is important to recognize the complex and often unforeseen implications of new energy technologies at the local level. It is essential to prioritize the well-being and informed consent of our residents as we navigate the balance between energy development and environmental and public safety.

This proposed law is not intended to oppose energy innovation, but rather to ensure that North Tonawanda is not prematurely exposed to potential risks. It serves as a safeguard to allow time for further research, public education, and thoughtful dialogue regarding the full scope of energy technologies and their long-term effects. The law includes restrictions on the construction and operation of new coal, natural gas, hydroelectric, wind, and

nuclear energy facilities, ensuring that future developments align with the city's commitment to sustainability and safety.

As public understanding and regulatory clarity continue to evolve, the city will remain open to revisiting these laws in order to thoughtfully embrace new energy opportunities; while ensuring they align with the needs and values of our community.

Thank you for your attention to this important issue and for your collective work in addressing it.

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman DiBernardo **SECONDED** by Alderman Marranca
That the Common Council hereby approves to move forward and will schedule a Public Hearing for a Local Law to address Energy Restriction in North Tonawanda
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

II. Attorney

January 15, 2025

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

Re: Resolution to Allow Emailing of Local Laws in Final Form to Each Common Council Member, in Accordance with Municipal Home Rule Law Chapter 36-A, Article 3, Section 20(4)

Dear Honorable Body:

Attached is a proposed Resolution to update the notification process for Common Council members in the adoption of proposed local laws. This will allow for email and other electronic means to be used for notification of Common Council members, in satisfaction of New York State Municipal Home Rule Law, regarding consideration of proposed local laws in their final form. This change will make the local law process more cost effective and proficient moving forward.

If your Honorable Body concurs, please pass a resolution for the City of North Tonawanda to allow the emailing, and other electronic means, of local laws in final form to each Common Council member to satisfy the notification process, in accordance with Municipal Home Rule Law Chapter 36-A, Article 3, Section 20(4), subject to further review by the City Attorney.

Very truly yours,
Edward A. Zebulske, III
City Attorney

MOVED by Alderman DiBernardo **SECONDED** by Alderman Schmigel
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 pm on January 21, 2025, approves the resolution to allow Emailing a Local Law in final form to each Common Council member in accordance with Municipal Home Rule Law Chapter 36-A, Article 3, Section 20(4) and it reads as follows:

WHEREAS, to be more cost effective and proficient in the process of considering the adoption of proposed local laws; and

WHEREAS, many municipalities and businesses conduct business via email and other electronic means,

NOW THEREFORE, BE IT RESOLVED, pursuant to Chapter 36-A, Article 3, Section 20(4) of the New York State Municipal Home Rule Law, the Common Council of the City of North Tonawanda does hereby declare the following:

1. That in satisfaction of the New York State Municipal Home Rule Law, proposed local laws in their final form may be e-mailed to the e-mail in-box of each member of the Common Council in Portable Document Format (PDF) at least ten calendar days, exclusive of Sunday, prior to its final passage; and
2. That the North Tonawanda City Clerk/Treasurer shall ensure that each member of the Common Council has an email address and said email addresses shall be published on the City website and any public bulletin board of the City Clerk/Treasurer.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

III.1 Clerk-Treasurer

January 15, 2025

**Honorable Mayor and Common Council
216 Payne Avenue, City Hall
North Tonawanda, NY 14120**

Dear Honorable Mayor and Common Council:

Attached you will find the Cash Statement for all Accounts for the end of year 2024, to be received and filed.

**Respectfully,
Donna L. Braun
City Clerk-Treasurer**

**MOVED by Alderman Marranca SECONDED by Alderman Loncar
That the Common Council hereby receives and files the attached Cash Statement for all
Accounts for the year end 2024.**

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

III.2 Clerk-Treasurer

January 16, 2025

**The Honorable Mayor Austin Tylec
North Tonawanda Common Council
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120**

Dear Mayor Tylec and Members of the Common Council,

As Clerk/Treasurer for the City of North Tonawanda, I am writing to present a recommendation for an adjustment to the rental rates for the upcoming season. This proposed increase aims to support the city's operational needs while remaining fair and reasonable for our valued permit holders.

MOVED by Alderman Marranca SECONDED by Alderman Loncar
That the Common Council hereby authorizes for payment the current Abstract of Claims
for Common Council Audit dated January 21st, 2025, and further authorizes the Mayor
and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$806,334.71
02	Water Fund	\$39,979.57
04	Sewer Fund	\$119,111.08
06	Capital Project Fund	\$172,731.57
07	Trust & Agency Fund	\$7,436.60
00	Final Total	<u>\$1,145,593.53</u>

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

VII.2 Accountant

January 16, 2025

Honorable Austin J. Tylec, Mayor
And Common Council Members
City Hall / 216 Payne Avenue
North Tonawanda, NY 14120

Dear Honorable Body:

Please review and approve the 1.1.2025 – 12.31.2025 part-time wage schedule as presented.

Warm regards,
Jeffrey Zellner
City Accountant

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby approves the amendment of the Sanitation Laborer and
the Rental Property Compliance Officer to the following Seasonal & Part-time Wage
Schedule effective January 1, 2025 – December 31, 2025:

For part-time employees, working limited hours, one season of the year:

<u>POSITION</u>	<u>1/1/2023 - 12/31/2023</u>	<u>1/1/2024 - 12/31/2024</u>	<u>1/1/2025 - 12/31/2025</u>
Laborer	\$15.00	\$15.00	\$15.50
Crossing Guard	15.00	15.00	15.50
Lifeguard	\$15.50	\$15.50	16.25
Sanitation Laborer	16.55	16.55	18.50
Leader	\$15.30	\$15.30	\$15.80
Head Crossing Guard	15.30	15.30	15.80
Chief Lifeguard	16.55	16.55	Not Used
Program Supervisor	\$16.05	\$16.05	\$16.55
Pool Supervisor	16.55	16.55	17.25
Harbor Supervisor	16.55	16.55	17.25
Golf Course Supervisor	18.50	18.50	19.50

For part time employees, working limited hours, all year:

<u>POSITION</u>	<u>1/1/2023 - 12/31/2023</u>	<u>1/1/2024- 12/31/2024</u>	<u>1/1/2025 - 12/31/2025</u>
Clerk (part-time)	\$15.00	\$15.00	\$15.50
Engineering Technician	15.00	15.00	17.00

Work Program Crew Leader	15.00	15.00	15.50
Police Matron*	18.00	18.00	18.00
Animal Control Officer*	22.80	22.80	22.80
Ordinance Officer – (part-time)	\$18.45	\$18.45	18.95
Plumbing Inspector – (part-time)	19.25	19.25	19.75
Electrical Inspector – (part-time)	19.25	19.25	19.75
Rental Property Compliance Office – (part-time)			19.75

Minimum Wage: \$14.20 effective 12/31/2022. \$15.00 effective 12/31/2023 \$15.50 effective 12/31/2024

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

XI.1 Fire Chief

January 15, 2025

**Honorable Mayor Austin J. Tylec
& Common Council
216 Payne Avenue
North Tonawanda, NY 14120**

Re: Retirement

Dear Honorable Body:

After nearly 35 years of serving the City of North Tonawanda and after much consideration it is time for me to embark on the next chapter of my life. I would like to formally announce my decision to retire from my position as Fire Chief of the City of North Tonawanda.

My retirement date will be January 31, 2025. I want to take this opportunity to express my appreciation to the Mayor, Common Council, and everyone I have had the privilege of working with during my career.

Sincerely,
Joseph D. Sikora
Fire Chief

MOVED by Alderman Lavey **SECONDED** by Alderman DiBernardo
That the Common Council hereby receives and files the retirement letter from Joseph Sikora as the Fire Chief for the City of North Tonawanda.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

XI.2 Fire Chief

January 15, 2025

**Honorable Mayor Austin J. Tylec
& Common Council
216 Payne Avenue
North Tonawanda, NY 14120**

Re: Appointment of Third Assistant Director in the Emergency Management Office.

Dear Honorable Body:

Please be advised that I am appointing Kevin Phillips to the vacant position of Third Assistant Director in the Emergency Management Office. Mr. Phillips has experience working with the public as well as experience with grant writing that will benefit our city. I am confident he will do an excellent job in his new position. His appointment will be effective February 1, 2025.

Thank you for your attention to this matter

Sincerely,
Joseph D. Sikora
Fire Chief/Director of EMO

MOVED by Alderman DiBernardo **SECONDED** by Alderman Schmigel
That the Common Council hereby approves the appointment of Kevin Phillips of Third Assistant Director in the Emergency Management Office effective February 1, 2025.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Police Department

MOVED by Alderman DiBernardo **SECONDED** by Alderman Marranca
That the Common Council hereby receives and files the aforementioned Monthly Reports

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

XXVI. Vacation & Sick Leave Reports

.1 Clerk-Treasurer .2 Fire Department

MOVED by Alderman DiBernardo **SECONDED** by Alderman Loncar
That the Common Council hereby receives and files the aforementioned Vacation & Sick Leave Reports

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

XXVII. Annual Reports

.1 Clerk-Treasurer .2 Police Department

MOVED by Alderman DiBernardo **SECONDED** by Alderman Marranca
That the Common Council hereby receives and files the aforementioned Annual Report

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Marine Corps League

January 6, 2025

Mayor Austin Tylec & Common Council

C.
NT Neighborhood Watch

December 4, 2024

Mayor Austin Tylec
And Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mayor Tylec & Common Council:

As we look ahead to April 21, 2025, we are excited to once again seek support from the City of North Tonawanda for the Dyngus Day Parade & Celebration. Building on the success of our 2023 and 2024 events, we plan to keep the same elements and schedule, concluding the parade at the City Market for the After-Part Celebration.

For this year's festivities, we respectfully request the following support from the City:

- **Street Closure Assistance:** Closure of Oliver Street from Buffalo Bolt Way to Kiel Street, extending to the City Market, from 4:00 PM to 6:30 PM for the parade route.
- **City Market Access:** Use of the City Market property, including restroom facilities, for the After-Party Celebration on Monday, April 21, 2025 from 4:30 PM to 8:30 PM
- **Promotional Banners:** Permission to display up to two parade banners on the City Market pavilion for 3-5 weeks leading up to the event.
- **Auxiliary Police presence:** Support from North Tonawanda Auxiliary Police during the parade and After-Party.

Your continued support plays a vital role in the success of this event, and we greatly appreciate your consideration. We look forward to another outstanding collaboration with the city. Please feel free to reach out with any questions or concerns at ntneighborhoodwatch@gmail.com or 716-909-5590.

Sincerely,
Joseph Marranta
Chairman, NT Neighborhood Watch

MOVED by Alderman Loncar

SECONDED by Alderman DiBernardo

That the Common Council hereby grants permission for the NT Neighborhood Watch to hold their annual Dyngus Day Parade and After-Party on Monday, April 21st, 2025, and directs the Police and DPW to help with the following requests:

- **Permission/assistance to close Oliver Street from the blocks of Buffalo Bolt Way to Kiel Street to the City Market from 4:00 PM to 7:00 PM for the parade route.**
- **Use of the City Market property for the After-Party Celebration, as in the previous year, including access to restroom facilities on Monday, April 21, 2025, from 4:00 pm to 8:30 PM.**
- **Permission to display the parade banner on the City Market pavilion 2-4 weeks before the event for promotional purposes.**
- **The presence of North Tonawanda Auxiliary Police during the parade and after-party**

Ayes: Alderman Schmigel, DiBernardo, Marranta, Loncar, Lavey

(5)

Nays: None

(0)

CARRIED.

We are requesting approval to work with the City of North Tonawanda Police to plan traffic support, and to post and retrieve temporary route arrow signs along the roads involved.

Thank you for your consideration and support!

Sincerely,
Thomas Johnston

MOVED by Alderman DiBernardo **SECONDED** by Alderman Schmigel
That the Common Council hereby approves “The Ride for Roswell” going through the City of North Tonawanda on Saturday, June 28, 2025, and directs the North Tonawanda Police to provide assistance at critical traffic intersections on River Road, and the Seymour Street Bridge to the hand off to the City of Tonawanda Police.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)

Nays: None (0)

CARRIED.

F.

NT Botanical Garden

January 15, 2025

Mayor Austin Tylec
And Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mayor and Common Council Members,

Thank you for allowing me this opportunity to advocate for the North Tonawanda Botanical Garden Organization, Inc. (NTBGO) to apply for a project grant to the NYS Department of Conservation under the Environmental Justice Community Environmental Education Centers Grant during the Work Session on 14 January 2025.

Grants like these do not come along too often, and I urge your support to build a facility to create a community environmental center to inspire the exploration, discovery and learning about the community environment that compliments the NTBGO’s mission as a 501(C)3 nonprofit established in 2018 and is committed to:

Maintaining the North Tonawanda Botanical Garden as a scenic destination for our community and as an ongoing sustainable park to teach our citizens about native plants and pollinators, water-wise practices, sustainable gardening, and environmental stewardship.

The attached resolution highlights the DEC’s question that if the property owner is a municipality, the grant must include a resolution by the municipality supporting the project. Thank you for this opportunity, which only comes around every 2 to 3 years.

Sincerely,
Robert E. Pecoraro, Chair
NTBGO

MOVED by Alderman Marranca **SECONDED** by Alderman Loncar
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 pm on January 21, 2025, approves the resolution to apply for a project grant through the NY State Department of Conservation and it reads as follows:

NORTH TONAWANDA COMMON COUNCIL RESOLUTION PERMITTING AND APPROVING THE APPLICATION OF THE NORTH TONAWANDA BOTANICAL GARDENS ORGANIZATION IN APPLYING FOR PROJECT GRANT FROM THE

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
UNDER THE ENVIRONMENTAL JUSTICE COMMUNITY EDUCATION CENTERS
GRANT**

WHEREAS, the North Tonawanda Botanical Gardens Organizations, Inc is applying to the New York State Department of Environmental Conservation for a project grant under the Environmental Justice Community Environmental Education Centers Grant, (specifically, NYS SFS Grant Management Bid Event ID No: EJCEEC R 1); and

WHEREAS, the location where the funds of the project grant would be utilized are at 1825 Sweeney Street, North Tonawanda, New York 14120, a site located within the territorial jurisdiction of the Common Council; and

WHEREAS, the plans of the North Tonawanda Botanical Gardens will implement the support of either new construction or a renovation of a facility to create a community environmental education center that inspires the exploration, discovery and learning about the community's environment; and

WHEREAS, the North Tonawanda Botanical Gardens has provided documentation of complying with §139 of the New York State Finance Law, Executive Order 16, and that the proposed project is consistent with the State Smart Growth Public Infrastructure criteria; and

WHEREAS, the North Tonawanda Botanical Gardens has shown proof of the following: (1) an annual operating budget of under \$5,000,000; (2) they are a not-for-profit and an independent governed body; (3) their primary office is within New York State, (4) their charter cannot be revoked; (5) their Statewide financial system (SFS) registration and prequalification; and the project location is in an Environmental Justice area; and

NOW, THEREFORE, LET IT BE RESOLVED, that the City of North Tonawanda, State of New York, does hereby approve and endorse the application of the North Tonawanda Botanical Gardens Organization for a grant in the amount \$3,000,000, the maximum allowed funds under the Community Environmental Education Centers NYS SFS Grants Management Bid Event ID No.: EJCEEC R 1 for a project known as the North Tonawanda Environmental Education Center; and

LET IT BE FURTHER RESOLVED, that the City Clerk, no later than 30 days after passage of this Resolution, shall transmit copies of this resolution to (1) the Mayor of North Tonawanda, (2) all members of the North Tonawanda Common Council, and (3) the City Attorney's Office.

PASSED AND ADOPTED, as a resolution of the Common Council of the City of North Tonawanda, State of New York, as its regularly scheduled meeting held on January 21, 2025.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

MOVED by Alderman DiBernardo SECONDED by Alderman Marranca
To bring the following communication from the City Clerk-Treasurer that was presented from the Building Inspector to the floor.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

MOVED by Alderman DiBernardo SECONDED by Alderman Marranca
That the Common Council hereby approves to move forward with a Public Hearing for the City Code changes that was presented by the Building Inspector.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION

Robert Pecoraro, 262 Christiana St. – Thanked the Council for passing the Resolution for the Botanical Garden Grant.

Kevin O' Connor-1064 Remmington Drive-Thanked the Council looking into codes of the city addressing the energy sources of the future.

Frank Lorango- 794 Daigler Drive-Working on the Noise Control codes for the city. They will be reporting back to the city their findings. They will be looking at revising the City Noise Ordinance. They have just started, and it may take some time.

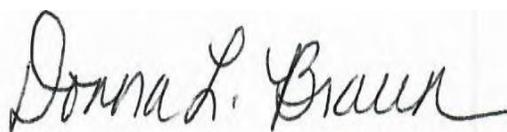
Jake Quinn 14 Henry Street-Mr. Quinn addressed the Mayor and Council on his concerns of an investigation that occurred at his place of work by the North Tonawanda Police Department-on creating a parody Mayor's Facebook page. He was very upset that it was done at his place of work and upset with the Mayor.

ADJOURNMENT

MOVED by Alderman Marranca **SECONDED** by Alderman DiBernardo
That this regular session of the Common Council be and hereby is adjourned.
CARRIED.

Time of Adjournment: 7:13 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer